

MINUTES OF MEETING
RUSH RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
JANUARY 4, 2016

The Rush River Water Resource District met on January 4, 2016, at 10:30 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were William A. Hejl, Chairman; Richard Sundberg, Manager; Jacob Gust, Manager (by phone); Carol Harbeke Lewis, Secretary-Treasury; Sean M. Fredricks, Attorney for the Board; Mike Opat, Engineer for the Board; Jason Benson and Rich Sieg, Cass County Highway Department; Wayne Freedland and Steve Cossette, Harwood Township Supervisors.

Reorganization of the Board for 2016

It was moved by Manager Sundberg and seconded by Manager Gust to nominate and appoint William A. Hejl to serve in the capacity of Chairman of the Rush River Water Resource District for calendar year 2016. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Gust and seconded by Manager Hejl to nominate and appoint Richard Sundberg to serve in the capacity of Vice-Chairman of the Rush River Water Resource District for calendar year 2016. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Sundberg and seconded by Manager Gust to appoint Carol Harbeke Lewis to serve in the capacity of Secretary-Treasurer of the Rush River Water Resource District for calendar year 2016. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Hejl and seconded by Manager Sundberg to appoint the following individuals to serve in the designated capacities for calendar year 2016:

Jacob Gust	Cass County Joint Water Resource District Board Representative
Richard Sundberg	Cass County Joint Water Resource District Alternate Representative 1
William A. Hejl	Cass County Joint Water Resource District Alternate Representative 2

Richard Sundberg

Red River Joint Water Resource District
Board Representative

William A. Hejl

Red River Joint Water Resource District
Alternate Representative

Upon roll call vote, the motion carried unanimously.

2016 meeting dates

The Board discussed its regular meeting dates for the year 2016. It was moved by Manager Gust and seconded by Manager Sundberg to adopt the following resolution. Upon roll call vote, the motion carried unanimously.

RESOLUTION

BE IT RESOLVED, that the Rush River Water Resource District does hereby set the third Tuesday of February and March at 9:00 a.m., the third Tuesday of April through October at 8:00 a.m., and the third Tuesday of November and December at 9:00 a.m. in the Cass County Highway Department building, 1201 Main Avenue West, West Fargo, North Dakota, as its regular meeting dates, times and place for the year 2016.

BE IT FURTHER RESOLVED, that the Secretary be and she hereby is directed to forward a copy of said schedule of meetings to the Cass County Auditor and to post said schedule at the Water Resource District's principal office and the location of the scheduled meetings, all in accordance with the provisions of Section 44-04-20 as amended.

APPROVED:

William A. Hejl
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer

Designation of depositories of Rush River Water Resource District public funds

It was moved by Manager Sundberg and seconded by Manager Gust to designate the following as depositories of Rush River Water Resource District public funds:

Alerus Financial

Bell State Bank & Trust

First State Bank of North Dakota (Casselton)

Upon roll call vote, the motion carried unanimously.

Pledges of Assets

It was moved by Manager Sundberg and seconded by Manager Gust to approve the following Pledges of Assets:

Alerus Financial (as per agreement of March 7, 1996)

Upon roll call vote, the motion carried unanimously.

Review of contracts for legal and engineering services

It was moved by Manager Sundberg and seconded by Manager Gust to reaffirm the agreement with Ohnstad Twichell, P.C. for legal services and approve the billing rates, as presented, for the Rush River Water Resource District for calendar years 2016 and 2017. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Sundberg and seconded by Manager Gust to approve Appendix 1 (Reimbursable Expenses Schedule) and Appendix 2 (Standard Hourly Rates Schedule) to Exhibit C regarding the *Agreement between Owner and Engineer for Professional Services – Task Order Edition* with Moore Engineering, Inc., as presented. Upon roll call vote, the motion carried unanimously.

Minutes

It was moved by Manager Sundberg, seconded by Manager Gust and unanimously carried to approve the minutes of the December 15, 2015, meeting.

Rush River – installation of a guard rail along the township road between Sections 32 and 33 in Harwood Township, 1 mile south of Cass County Highway 32

Wayne Freedland and Steve Cossette met with the Board to request assistance with the installation of a guard rail along the township road between Sections 32 and 33 in Harwood Township, 1 mile south of Cass County Highway 32. There have been a couple crashes in this area and they would like to do something this winter to improve the situation. The township officials acknowledged they could reduce the speed limit in the area.

Jason Benson said the bridge was replaced in 1974 with a metal pipe arch. He said this is the first time he has heard of any concerns. The North Dakota Department of Transportation conducts an inspection every 2 years and in April 2014, placed a 99 out of 100 sufficiency rating on the structure. The township would like to add on to the existing pipe. Mr. Benson said that would be difficult to do. He pointed out the structure size could be significantly reduced when the Metro Flood Diversion Project is constructed, as it would only need to accommodate local drainage at that point.

Mr. Freedland said the township would like guard rails installed at the crossing. The Board explained that this would not be a Water Resource District project. Mr. Benson said he could bring the matter before the Road Advisory Committee, but Harwood Township officials may need to meet with the Cass County Commission on the matter and provide cost-share on the project. The township will continue working with the county on the matter.

Drain No. 2 Improvement Project No. 2015-02

Mike Opat updated the Board regarding Drain No. 2 Improvement Project No. 2015-02. Further discussion will be held on the matter this spring.

Brewer Lake-Erie Dam – Operation and Maintenance Agreement / stop log structure / valve stem replacement

Mike Opat reviewed the differentiation between water quality, recreation and flood control at Brewer Lake-Erie Dam. According to the permit, 390 acre-feet of the 2,050 acre-foot pool, or 19%, is related to flood control. This percentage would represent everything between the level of the valve and the crest of the spillway. This would mean that 19% of maintenance costs on the dam and control structure would be the responsibility of the Water Resource District. The stop logs are also the responsibility of the Water Resource District, as well as 1/3 of the valve. Operation of the stop logs is handled by the Cass County Highway Department. The remaining responsibility would fall under the North Dakota Game and Fish Department and Cass County Board of Park Commissioners.

At the next meeting, Sean Fredricks will have an updated draft *Operation and Maintenance Agreement* regarding Brewer Lake-Erie Dam between the North Dakota Game and Fish Department, State Water Commission, Cass County Board of Park Commissioners and the Rush River Water Resource District.

Research / photocopying policy

It was moved by Manager Sundberg and seconded by Manager Gust to adopt the following policy:

POLICY RELATING TO RESEARCH/PHOTOCOPYING

Requests for photocopies of Water Resource District files/materials shall be provided in a prompt manner at the rate of \$.25 per copy, with the first hour of research being free and each additional hour at the rate of \$25 per hour. Upon request, electronic media will be provided at cost. Prepayment, as estimated by the Secretary-Treasurer, will be required for the above services.

Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Sundberg and seconded by Manager Gust to approve payment of Checks #4119 through #4130, and the electronic funds transfers, as presented. Upon roll call vote, the following Managers voted in favor: Hejl, Sundberg, and Gust. The Chairman declared the motion passed.

Adjournment

There being no further business to be considered by the Board, the meeting adjourned without objection.

APPROVED:

William A. Hejl
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer